



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: the Application of:

FLOCKHART et al.

Serial No.: 09/669,486

Filed: September 25, 2000

Atty. File No.: 4366-20

For: "ROUTING BASED ON THE
CONTENTS OF A SHOPPING
CART"

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The references cited on attached Form PTO-SB08 are being called to the attention of the Examiner.

☒ Copies of the cited non-patent and/or foreign references are enclosed herewith.

☒ Other: Applicant submits that the attached reference is not prior art under 35 U.S.C. § 102(a) or (e). The cited reference, PCT IEP00/05709 was filed June 20, 2000, and published March 8, 2001. The corresponding European application was filed August 31, 1999, and published no earlier than January 31, 2001 (18 months from August 31, 1999). Applicants have found no corresponding U.S. application. Although the PCT reference designates the U.S. and was published in English, the PCT reference does not, under these facts, qualify as prior art.

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

) Group Art Unit: 3622

) Confirmation No.: 3085

) Examiner: KEMPER, M.

) SUPPLEMENTAL INFORMATION
) DISCLOSURE STATEMENT

) "EXPRESS MAIL" MAILING LABEL NO. EV 829370640 US

) DATE OF DEPOSIT: 9/5/06

) I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE "EXPRESS MAIL POST OFFICE TO
ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE
DATE INDICATED ABOVE AND IS ADDRESSED TO THE
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-1450.

) TYPED OR PRINTED NAME: Christine Jacquet

) SIGNATURE:

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or <input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or <input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ul style="list-style-type: none"> (1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, or (3) an action that otherwise closes prosecution in the application. <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <input type="checkbox"/> Please charge Deposit Account 19-1970 in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account 19-1970.
<input checked="" type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Please charge Deposit Account 19-1970 in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☒ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

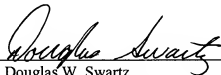
OR

☒ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By: _____



Douglas W. Swartz
Registration No. 37,739
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: Sept 5, 2006

Substitute for form 1449A/PTO

Complete if Known

Application Number	09/669,486
Filing Date	September 25, 2000
First Named Inventor	FLOCKHART
Art Unit	3622
Examiner Name	KEMPER, MELANIE A.
Attorney Docket Number	4366-20

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T*
/R.A./	1	PCT	WO 01/17215 A1	3/8/2001	RUPAREL		
		-					
		-					
		-					
		-					
		-					
		-					

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner Initials*	Cite No. ¹	

Examiner Signature	/Raquel Alvarez/	Date Considered	02/25/2010
-----------------------	------------------	--------------------	------------

*EXAMINER: Initial if reference is considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant.